AMO REPORTS 82-4

RESPONSE TO THE PROVINCIAL DISCUSSION PAPER ON WETLAND POLICY

THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO
MARCH, 1982

To the Municipal Clerk:

Please circulate this Report to the members of council and to the staff of your municipality. Additional copies are available at one dollar each from the Publications Centre, Association of Municipalities of Ontario, Suite 902, 100 University Avenue, Toronto, Ontario. M5J 1V6

"AMO Reports 82-4" was submitted to the Hon. Alan Pope, Minister of Natural Resources, on April 5, 1982.

TABLE OF CONTENTS

		PAGE
1.	INTRODUCTION	1
2	TOWARDS A POLICY - AMO CONCERNS	1
3.	RECOMMENDATIONS	4

AMO's RESPONSE TO THE PROVINCIAL DISCUSSION PAPER ON WETLAND POLICY

1. INTRODUCTION

Towards a Wetland Policy for Ontario is a discussion paper which was derived from a report prepared by the Interministerial Wetlands Policy Development Committee. It was released by the Ministry of Natural Resources (MNR) in September, 1981. The paper was to provide a rationale for the development of a policy statement to guide the preservation of provincially significant wetlands.

In commenting on the discussion paper, the Association of Municipalities of Ontario (AMO) will address both the content of the discussion paper and the process used to develop and implement a provincial policy.

2. TOWARDS A POLICY - AMO CONCERNS

The discussion paper released by MNR does not adequately address the question of why Ontario is in need of a wetlands policy. The paper utilizes a perfunctory description of the ecological, social and economic benefits which may be derived from wetlands as a rationale for the preparation of a provincial wetlands policy. It sugests that the ecological and social values to be attained from some wetlands require that they be maintained in their natural state. Further, it limits itself to addressing the problems associated with wetlands in Southern Ontario.

The Association does not suggest that a wetlands policy is not needed. The Association is concerned that the Provincial Government would undertake the preparation of a policy statement of any nature without first providing a detailed, well-developed rationale for doing so. The preparation of a comprehensive "background" report which provides this rationale should be undertaken by the Provincial Government prior to the government making a decision concerning the development of a policy statement. Also, this background paper should address the entire province and not just southern Ontario.

Related to this is the suggestion in the discussion paper that MNR be given the lead agency role with respect to wetlands. In developing the rationale behind the preparation of a policy

statement, the Association suggests that some justification should also be given for assigning the responsibility for the implementation of that policy to a particular Ministry.

The balance of this paper is concerned with the development of the policy statement. Therefore, it should be noted that the following comments would only apply if the Provincial Government determined that a need did exist to develop a policy.

The development of any provincial policy should not be undertaken in isolation of the programs, policies and legislation of other Ministries, the interests of which may be related to wetlands. For example, the Association believes that the activities of the Ministry of the Environment and the Ministry of Agriculture and Food, to name two, with respect to drainage, floodplains and hazard lands, should be carefully considered when formulating a wetlands policy. Any inter-ministerial conflicts should be identified and alleviated during the development of the policy statement.

Having established the need to develop a policy and having set the goals and objectives which a policy is to achieve, a data base must be provided to enable sound, intelligent, planning and land-management decisions to be made. The discussion paper recognizes the necessity of having this information and identifies several systems which could be used to compile the data.

The Association is concerned that the discussion paper does not define, in precise terms, the methodology to be employed, or the scale of information required. AMO recommends that both of these parameters be defined to ensure that the data collected is consistent and comparable across the province.

The importance of this data being accurate and consistent cannot be overstated, especially in light of the reference in the discussion paper to municipalities being required to comply with wetland "planning guidelines". If the implementation of a provincial wetland policy is to be subject to the official plan and zoning by-law approval process, the information on which such a policy is based must be accurate and must be capable of being monitored and updated. Often, municipalities are required to explain provincial policies at local public meetings and/or Ontario Municipal Board hearings, dealing with local planning documents.This is virtually impossible if the municipality is not provided with precise, up-to-date information.

The discussion paper indicates that the "lead agency" would be responsible for the preparation and implementation of a policy statement. The discussion paper briefly outlines the responsibilities of the lead agency in this regard. The Association believes that several ministries, government agencies, and municipalities generally have a role to play in the process of developing and implementing such a policy. The discussion paper makes no reference to the role of these other parties in the process, nor to the relationship between the "lead agency" and the various other interests. The Association believes that these roles and responsibilities should be defined.

Another AMO concern surrounds the funding implications of developing and implementing a provincial policy. The discussion paper makes only passing reference to the required funding. The Association is concerned that the Provincal Government, through any Ministry, may develop and adopt a policy without adequate funding to properly implement the policy. The collection of base data, the monitoring and updating of this data, and the provision of incentives as a means of preserving wetlands and implementing the policy all require a funding commitment from the Provincial Government. This commitment should be made prior to the adoption of the policy.

The diversity of municipalities in Ontario makes it necessary that any policy developed at the provincial level be flexible if municipal planning tools are to be employed in the implementation process. This diversity, and the flexibility it commands, makes it imperative that municipalities be part of a consultative mechanism used in the development of provincial policies.

3. RECOMMENDATIONS

3.1 THAT the Provincial Government prepare a comprehensive study of wetlands throughout Ontario to determine if a need exists to adopt a wetland policy for Ontario.

If it is determined that a wetland policy is needed for the Province of Ontario the following recommendations should be considered:

3.2 THAT the Ministry of Natural Resources consider the policies, programs and legislation of other provincial ministries, which may impact on wetlands, when formulating a wetlands policy, to reduce the possibility of conflicts with these.

3.3 THAT the Ministry of Natural Resources define the methodology to be employed and the scale of data required for the purposes of conducting a wetlands inventory in Ontario.

3.4 THAT the Provincial Government, through the Ministry of Natural Resources, provide the financial and/or manpower resources required to conduct the wetlands inventory.

3.5 THAT the Ministry of Natural Resources, in consultation with other ministries, municipalities and other agencies and organizations define the role and responsibilities of those involved in the implementation of a wetlands policy.

3.6 THAT the Provincial Government refrain from adopting a wetlands policy until sufficient funding is available to permit it to be implemented.

3.7 THAT AMO be consulted during the formulation of provincial policy statements and be permitted to review and comment upon these statements prior to their adoption to ensure that consideration is given to the variety of local situations that exist within Ontario.

PUBLICATIONS ISSUED IN THE "AMO REPORTS" SERIES

1. 1980 Guidelines for Municipal Bargaining
2. Assessment Review and Appeal Procedures
3. Response to the Children's Research Information Task Force Report
4. The Status of Public Swimming Pools in Ontario
5. Child Abuse
6. Response to Bill 127--An Act To Revise The Pits and Quarries Control Act, 1971 ($2.00)
7. Response to the Provincial Announcement of 1980 Transfer Payments to Municipalities
8. Municipal Undertakings Under The Environment Assessment Act
9. Special Purpose Boards and Commissions ($2.00)
10. Motorized Off-Highway Vehicles
11. Foster Care
12. Public Libraries in the 1980's
13. Development of Treatment and/or Disposal Sites for Liquid Wastes and Hazardous Wastes
14. Group Homes
15. Conservation Authorities
16. Perpetual Care for Waste Management Facilities
17. Discussion Paper on Bill 74--An Act To Establish A Code Of Procedure for Provincial Offences
18. Occupier's Liability and Trespass To Property
19. Toward Property Tax Reform
20. The Draft Planning Act (Out-of-Print)
21. Child Welfare in Ontario: Past, Present and Future
22. The Parks Assistance Act
23. The Handling and Transportation of Dangerous Goods
24. Housing Rehabilitation Programs in Ontario
25. Residential Conversions in Ontario
26. Shelter Allowances
27. The Cemeteries Act
28. Proposed Policies: Coordinated Program Strategy for the Ministry of Natural Resources in Southern Ontario
29. Ontario Budget 1980: Implications for the Municipal Sector
30. Mortgage Interest Rates
31. Supplement to AMO's Response to the Draft Planning Act
32. Parkland Conveyance Standards
33. Boarding and Lodging Homes and Domiciliary Care Hostels
34. The General Welfare Assistance Act: Administration Costs
35. Social and Economic Criteria Used in Ontario Hydro's Site Selection Process
36. Equalization Factors and Apportionment in 1981
37. Flood Plain Management Policies
38. Provincial Roads Grants: Administrative Procedures
39. Public Swimming Pools--Ontario Regulation 792/77
40. Compulsory and Binding Arbitration
41. Capital Funding for Cultural and Recreational Facilities
42. Mineral Aggregate Resource Policy
43. Planning Guidelines for Group Homes
44. Recreational Second Home Areas

45. 1981 Guidelines for Municipal Bargaining
46. Municipal Boundary and Related Disputes
47. Public Housing in Ontario
48. The Ontario Heritage Act
49. Municipal Perspective on Housing Programs in the 1980's ($2.00)
50. Debt Management Powers and Practices for Ontario Municipalities
51. Submission to the Parliamentary Task Force on Federal-Provincial Fiscal Arrangements
52. Municipal Lot Levies ($2.00)
53. Provincial Incentives for Source Separation
54. Provincial-Municipal Funding for Children's Services
55. Assessment and Taxation of Farms and Managed Forests
56. The Future Role of Rail
57. Ontario Public Libraries Program Review
58. Recreation, Sport, and Fitness: A Response to the Fisher Report
59. Protection of Human Rights in Ontario: Employer-Employee Relations
60. 1982 Guidelines for Municipal Bargaining
61. Response to the Discussion Paper -- Continuing Education: The Third System
62. Housing Services for the Psychiatrically Impaired
63. Response to the Proposed Emergency Planning Legislation
64. Transportation of Dangerous Goods

82-1 Adult Residential Facilities
82-2 Response to Bill 159 - An Act to Revise the Planning Act
Appendix to "AMO Reports 82-2": Clause by Clause Review of Bill 159 - An Act to Revise the Planning Act ($3.00)
82-3 Property Taxation of Farms and Managed Forests
82-4 Response to the Provincial Discussion Paper on Wetland Policy
82-5 Provincial-Municipal Grants for Children's Services
82-6 Municipal Lot Levies: An Update
82-7 Rent Review in Ontario

Copies of all the reports in this series are available at $1.00 each, (except as noted) for postage and handling, prepaid, from: Publications Centre, Association of Municipalities of Ontario, 100 University Avenue, Suite 902, Toronto, Ontario, M5J 1V6. Please make cheques payable to the Association of Municipalities of Ontario.